

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
TERRITORY OF GUAM

ORIGINAL

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

Brian William Elm,  
Defendant.

USDC Cr. Cs. No.: 05-00021-Cr-1

**FILED**  
DISTRICT COURT OF GUAM

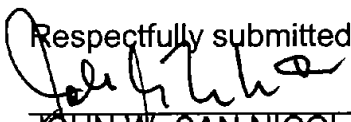
APR 13 2005

MARY L.M. MORAN  
CLERK OF COURT

**Re: Informational Report; Defendant serving local term of imprisonment at the  
Department of Corrections.**

On March 8, 2005, Brian William Elm made an Initial Appearance on an indictment charging him with Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). On the same date, Mr. Elm was released on a personal recognizance bond with conditions that he report to the U.S. Probation Office as directed; maintain or actively seek employment; surrender any passport to the Clerk of Court, District Court of Guam; obtain no passport; maintain a fixed residence and not change residence without approval from the U.S. Probation Officer; refrain from possessing a firearm, destructive device, or other dangerous weapon; refrain from any use of alcohol; refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner; submit to any method of testing required by a pretrial services officer or the supervising officer for determining whether he is using a prohibited substance; report at soon as possible, to the pretrial services office or supervising officer any contact with any law enforcement personnel; not leave Guam without the permission of the Court; and abide by the conditions of release in the Superior Court of Guam.

On March 18, 2005, Mr. Elm pleaded guilty, pursuant to a Deferred Plea Agreement, in Superior Court of Guam Criminal Case Numbers CF 442-03, Possession of a Schedule II Controlled Substance (As a Third Degree Felony), in violation of 9 G.C.A. §§ 67.401.2(a) and (b)(1), and Possession of an Unregistered Firearm (As a Felony), in violation of 9 G.C.A. §§ 60110 and 60121(a); and CM 263-03, Driving While Under the Influence of Alcohol (As a Misdemeanor), in violation of 16 G.C.A. § 18102(a). As part of his plea agreement, he was ordered to serve a six month term of imprisonment. He was taken into custody on March 18, 2005. His tentative release date is September 17, 2005.

Respectfully submitted,  
By:   
JOHN W. SAN NICOLAS II  
U.S. Probation Officer

Reviewed by:

  
ROSSANNA VILLAGOMEZ-AGUON  
U.S. Probation Officer  
Supervision Unit Leader

cc: Russell Stoddard, First Assistant U.S. Attorney  
John Gorman, FPD  
File